

Article - Environment

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§7-402.

(a) (1) The purpose of this subtitle is to protect the public health and the environment by ensuring the availability of sites and properly designed facilities to dispose of, reuse, recycle, incinerate, or otherwise render nonhazardous, hazardous waste materials and to eliminate illegal dumping or improper disposal. It is the further purpose of this subtitle to achieve the same goals with respect to low-level nuclear waste.

(2) In carrying out its responsibilities under this subtitle, the Board shall treat hazardous waste and low-level nuclear waste separately.

(b) These facilities shall be located subject to the following considerations:

(1) The availability of suitable facilities outside this State for the disposal of low-level nuclear waste produced in this State;

(2) That there are proper safeguards to the health and safety of the public and the quality of the environment;

(3) That facilities are available at reasonable cost commensurate with adequate protection of public health and safety, and of the environment;

(4) That there is due consideration of social values and of the reasonable and beneficial use of land and natural resources;

(5) That there is due consideration for industry and commerce, the revenues, and development of the State and its political subdivisions, and the employment and welfare of the people;

(6) That there is due consideration of alternatives over burial or other land disposal of hazardous or low-level nuclear waste, such as source reduction, reuse, resource recovery, and incineration;

(7) That there is due consideration for the expeditious ultimate disposal of hazardous waste in order to minimize reliance on interim storage;

(8) That there is due consideration for managing sites following cessation of operations;

(9) That there is due consideration for the equitable geographic distribution of sites, including:

(i) Consideration of the feasibility of siting a facility within the same political subdivision from which the wastes principally originate;

(ii) Consideration of those subdivisions that presently have sites, to avoid to the extent feasible certifying sites disproportionately in any one subdivision;

(10) That there is due consideration for local land use preference, as expressed in local planning and zoning provisions; and

(11) That there is due consideration for the geological stability of a location and for the safety and preservation of public and private water supplies. If the location of a facility site will result in any adverse effects to a public or private water supply, the facility site may not be approved.

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